

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW MEXICO**

ABRAHAM ALEJANDRO GONZALEZ  
ALARCON,

Petitioner,

v.

No.15-cv-00910 MV/LF


ADRIAN P. MARCIAS, El Paso Field Office  
Director, Immigration and Customs  
Enforcement, and RONALD WARREN,  
Assistant Field Officer Director, Immigration  
and Customs Enforcement,

Respondents.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on the decision by the Tenth Circuit Court of Appeals vacating this Court's dismissal and remanding with instructions to dismiss Mr. Gonzalez-Alarcon's habeas petition without prejudice. *Gonzalez-Alarcon v. Macias, et al.*, No. 16-2263, --- F.3d ---, 2018 WL 1371203 (10th Cir. Mar. 19, 2018). Accordingly, the Court dismisses Mr. Gonzalez-Alarcon's petition without prejudice. As the Circuit Court outlines in its Opinion, Mr. Gonzalez-Alarcon may pursue judicial review of his citizenship claim in the Fifth Circuit.

DATED this 5<sup>th</sup> day of June, 2018.

  
\_\_\_\_\_  
MARTHA YAZQUEZ  
United States District Judge